

***NATIONAL WEATHER SERVICE POLICY DIRECTIVE NWSPD 90-4
NOVEMBER 19, 2002***

***Staffing and Organization
HARDSHIP TRANSFER CONSIDERATION***

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OPR: CFO3 (N. Scheller)
Type of Issuance: Initial

Certified by: CFO/CAO (I. T. David)

1. This directive establishes policy for consideration of hardship transfers requested by National Weather Services (NWS) employees.
2. The mission needs of the NWS are the primary criteria for determining whether a request for hardship transfer is appropriate and necessary. The NWS is responsible for providing weather, hydrologic, and climate forecasts and warnings for the United States, its Territories, adjacent waters and ocean areas, for the protection of life and property and the enhancement of the national economy.
3. There are three areas of consideration for hardship transfers:
 - a. The medical condition of the employee or the employee's spouse or children residing in the employee's household requires relocation to a geographic area deemed medically necessary to improve or maintain health or receive health services.
 - b. When an employee or employee's spouse is the primary caretaker of a dependent parent, and the medical condition of the parent requires the employee or employee's spouse to relocate to another geographic area.
 - a. In cases where a family is separated, where the transfer of an employee to another geographical area would allow the employee to maintain contact with his/her dependent children. Not all separations from children are considered a hardship. Certain factors are considered.
4. This policy does not apply to emergency situations when immediate action is necessary to protect the health and welfare of the employee and/or immediate family.

5. Requests for hardship transfers are reviewed in a fair and expeditious manner. NWS will pay travel and relocation expenses for an employee's permanent change of station in accordance with applicable law and regulation.

6. This policy is governed by applicable law; rule; regulation; Government-wide, Department, and Agency policy; as well as the NWS Employees Union Collective Bargaining Agreement. Provisions of this policy are excluded from the negotiated grievance procedure.

7. This directive establishes the following authorities and responsibilities:

7.1 Implementation of hardship transfer consideration policies and procedures is delegated to the Chief Financial Officer/Chief Administrative Officer (CFO/CAO). The CFO/CAO, or his/her designee, will:

7.1.1 Act as the liaison between the Department/NOAA and NWS in communicating NWS hardship transfer consideration policies and procedures.

7.1.2 Be responsible for the review of applications requesting consideration of a hardship transfer. However, if the employee is in the bargaining unit, the CFO/CAO will consult with the NWS employees organization.

7.2 Selecting officials are:

- a. Responsible for notifying candidates eligible for hardship transfers of vacancies in the duty location requested,
- b. Responsible for considering hardship transfer as a factor when making a selection, and
- c. Prohibited from discriminating against hardship transfer candidates based on race, color, national origin, religion, sex, age, disability, or sexual orientation in all aspects of the employment process.

8. The authorities and responsibilities in this section are subject to temporary suspension or alteration if directed by NOAA or higher authorities.

Signed	November 5, 2002
_____ John J. Kelly, Jr. Assistant Administrator for Weather Services	_____ Date

Attachment 1

GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION

References

NWS Instruction 90-401, *Procedures for Consideration of Hardship Transfers*
Office of Personnel Management, Merit System Principles
Equal Employment Opportunity Commission Regulations and Enforcement Guidance
Federal Labor Relations Authority Regulations